

REMARKS

The applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Final Office Action of November 3, 2004. Claims 1-20 remain in the application. Claims 1, 3-9, 12-13 and 18-19 have been amended.

Reconsideration of the Application is requested.

The Office Action

Claims 1-2 and 8 were rejected under 35 U.S.C. §101.

Claims 1, 3-8, 12, 17, 18, 19 and 20 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,549,897 to Katariya.

Claims 2, 9-11, and 13-17 were rejected under 35 U.S.C. §103 as being unpatentable over the Katariya patent in view of U.S. Patent No. 6,021,196 to Sandford, II.

Claims 1-2 and 8 Define Statutory Subject Matter

The Examiner rejected claims 1-2 and 8 under 35 U.S.C. §101 as being directed to non-statutory subject matter. It is the Examiner's position that the claims are not directed to statutory subject matter because they do not fall within one of the four statutory classes of inventions and/or fall, by analogy, within the printed matter exception to §101.

The applicant has again reviewed the Examiner's position and still does not agree. However, in the interest of advancing prosecution of this case, independent claims 1 and 8 have been amended. It is respectfully submitted that the 35 U.S.C. §101 rejection should be removed.

The Claims Patentably Distinguish Over the Cited Patents

The Examiner rejected claims 1, 3-8, 12, 17, 18, 19 and 20 as being anticipated by Katariya. However, Katariya fails to teach or suggest document intent information and quantified document intent information, as claimed and disclosed in the present application.

By way of brief review, Katariya shows a computer system for searching documents. The system calculates the number of occurrences of each specific term or phrase on a document page and then provides a relative weight for each

term or phrase as compared to other terms and phrases within that document page. Thus, if the term "car" occurs most frequently on the page, the term "car" receives the highest weight for that page. Katariya does not show quantifying the creative intentions of the document creator.

The applicant previously argued that Katariya fails to teach or suggest document intent information and/or quantified document intent information. However, the Examiner has responded by indicating that, in his view, the applicant fails to provide a sufficient description of the intent information within the limitations of the claim and that any such claim recitations are to be given their broadest reasonable interpretation within the scope of the art. Therefore, the Examiner indicates that the independent claims fail to preclude the user from utilizing the methods of Katariya to teach the subject intent information.

It is respectfully submitted that the Examiner does not have a fair basis for this position. More specifically, the Examiner's attention is directed to page 7, lines 4-23. This excerpt recites a very clear example of the use of document intents. Moreover, the Examiner's attention is directed to page 5, line 17 through page 6, line 14. This section of the application defines the intent vector that is used in the exemplary embodiments of the invention. Moreover, the background of the invention clearly define that the intent data represent intentions of the creator of the document.

Moreover, the independent claims have been amended to further define intent information and its context. The cited Katariya patent does not fairly teach, even under a broad definition, intent information related to intents of a design of a document. In addition, it does not fairly teach that this information may be used to output or present the document.

Because the cited art to Katariya not does fairly teach such intent information, the claims are not anticipated thereby. Therefore, claims 1, 3-8, 12, 17, 18, 19 and 20 are submitted to be in condition for allowance.

The Examiner also rejected claims 2, 9-11 and 13-17 as being unpatentable over the Katariya patent in combination with the Sandford II patent. However, the suggested combination with Sandford does not overcome deficiencies of Katariya, even if Sandford and Katariya could be fairly combined. For example, Sandford II does not fairly teach that intent information relates to intents of a design of the document. It merely teaches embedding of "auxiliary

data" in a digital representation. Therefore, claims 2, 9-11 and 13-17 are submitted to be in condition for allowance.

CONCLUSION


For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-20) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call the undersigned, at telephone number (216) 861-5582.

Respectfully submitted,

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